

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**WHITE CAP CONSTRUCTION
SUPPLY, INC.; HD SUPPLY
CONSTRUCTION SUPPLY, LTD.; and
HD SUPPLY CONSTRUCTION
SUPPLY GROUP INC.,**

Plaintiffs,

v.

**TIGHTON FASTENER AND SUPPLY
CORPORATION d/b/a TIGHTON
TOOLS & FASTENERS, INC.; MATT
UPDIKE; MIKE NENEMAN; RICH
WHITE; GREG ASCHE; JASON
JARZYNKA; and BILL SHUMAKER,**

Defendants.

CASE NO. 8:08CV264

**ORDER AND
FINAL JUDGMENT**

This matter is before the Court on the parties' Joint Stipulation for Dismissal With Prejudice (Filing No. 214). The stipulation complies with the requirements of Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The parties will bear their own costs and attorney's fees. Accordingly,

IT IS ORDERED:

1. The parties' Joint Stipulation for Dismissal With Prejudice (Filing No. 214) is granted;
2. This action is dismissed with prejudice; and
3. The parties will pay their own costs and attorney's fees.

DATED this 24th day of January, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge